

**AGENDA ITEM #9**

September 13, 2002

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Briefing on East Bay Regional Park District Acquisition of 276-acre Parcel on Orwood Tract, Contra Costa County, for Future Development for Park and Recreation  
*(For Commission Information Only)*

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**Background:**

East Bay Regional Park District (EBRPD) recently acquired a 276-acre parcel of land on Orwood Tract, Contra Costa County. There was not time for EBRPD to brief the Commission prior to the acquisition.

**Purpose of the Proposed Acquisition:**

EBRPD is a regional special district, funded by local taxes, which provides public recreation and access and open space in Alameda and Contra Costa Counties. Contra Costa County does not have a park district or agency; EBRPD serves that function in Contra Costa County.

The purpose of the acquisition is to provide future public access and recreation in the Legal Delta. Proposition 204, passed by the voters in 1996 included a two million dollar allocation of funds for purchase of land for public access and recreation in the Legal Delta. The fund is administered by State Parks. Half the fund was allocated for improvement of facilities at State Parks in the Delta--Brannan Island State Park. Half was made available to non-profits and local government through a grant program. Half the remaining funds were allocated to The Nature Conservancy and never spent. The other half was allocated to EBRPD for purchase of a parcel in the Secondary Zone, west of Discovery Bay.

The purchase of the parcel in the Secondary Zone was never completed. In late Spring, 2002, EBRPD sought permission from State Parks to spend the funds to purchase property on Orwood Tract in the Primary Zone. State Parks approved the use of the funds for the Orwood Tract parcel, and the deal was finalized prior to the end of the fiscal year and expiration of the contract between State Parks and EBRPD.

**Project Proponent:**

EBRPD has purchased the property and would develop and manage the future park.

**Project Location:**

Orwood Tract is in Contra Costa County in the Primary Zone of the Delta. The acquisition site is 276 acres and is bounded Werner Dredger Cut and Orwood Resort to the west, and privately owned ag land to the east and south. The Mokelumne Aqueducts and railroad tracks lie to the north. Orwood Tract is in Reclamation District 2024: Orwood and Palm Tracts.

**Ownership:**

The parcel was in private ownership and is now owned by EBRPD.

**Description of the Site:**

The proposed acquisition site is flat. The site is currently planted in asparagus. The site elevation is approximately minus five. The levees meet the agricultural stands (one foot above the 100-year flood plane). The soil is mostly Sacramento clay, with some Egbert mucky clay loam, and some Piper Loamy sand. Most of Bradford Island is designated Prime agricultural land. Water sources are the adjacent waterways with drainage pumped into Werner Dredger Cut. The site is under Williamson Act contract. The Contra Costa County General Plan designates all of Orwood Tract as DR--Delta Recreation and Resources. Most of the parcel is zone A-3, Heavy Ag--10-acre minimum parcels, and the area along Werner Dredger Cut is zoned A-2, General Agriculture--five-acre minimum parcels.

**Existing Uses of the Site:**

The site is currently used for agriculture (asparagus, alfalfa, and feed corn). The site has been in agricultural use since the Island was reclaimed. There are no recreation uses on the site. There are several structures located along the levee, served by utilities. Existing wildlife habitat is minimal.

**History of Flooding:**

DWR's Delta Atlas indicates Orwood Tract has never flooded.

**Description of the Proposed Project:**

EBRPD will seek funds to start a planning process for the site. A recently developed plan for the Big Break Park in Oakley, Contra Costa County, will include water oriented recreation facilities, low intensity shoreline recreation facilities, and a habitat enhancement component.

EBRPD staff indicates the property will remain in agricultural use until a plan for a park is developed and implemented. This would result in no change to employment on the parcel.

**Pending and Proposed Projects:**

Orwood Resort, to the west, received a permit for modernization and modest expansion in 1996. The facility includes restaurant, launch ramp, day use and camping facilities. The Mokelumne Aqueducts received seismic upgrades in 1998. The eastern half of Palm Tract was dedicated as a mitigation site in 1993 to mitigate for expansion of the WAPA power lines. On private land,

Department of Fish and Game oversees permanent and seasonal habitat enhancements covering 1,200 acres.

**Actions/Permits Needed:**

EBRPD will need to develop a park plan and prepare an appropriate environmental document for a new park.

EBRPD has committed to continue payment of the Reclamation District fees.

**Delta Protection Commission Policies and Recommendations:**

*(Policies apply to Local Governments; Recommendations are advisory to other agencies.)*

Recreation Policy P-1: Where public funds are limited, local governments shall promote maintenance and supervision of existing public recreation areas over construction of new public facilities.

Recreation Policy P-2: To minimize impacts to agriculture and to wildlife habitat, local governments shall encourage expansion of existing private water-oriented commercial recreation facilities over construction of new facilities. Local governments shall ensure any new recreational facilities will be adequately supervised and maintained.

Recreation Policy 3: Local governments shall develop siting criteria for recreation projects which will ensure minimal adverse impacts on: agricultural land uses, levees, and public drinking water supply intakes, and identified sensitive wetland and habitat areas.

Recreation Policy P-5: Local governments shall encourage provision of public funded amenities in or adjacent to private facilities, particularly in the private facility will agree to supervise and manage the facility (fishing pier, overlook, picnic area) thus lowering the long-term cost to the public.

Recreation Policy P-6: Local governments shall support multiple uses of Delta agricultural lands, such as seasonal use for hunting, or improved parking and access sites.

Recreation Policy P-7: Local governments shall support improved access for bank fishing along State highways and county roads where safe and adequate parking can be provided...Adequate policing, garbage cleanup, sanitation facilities, and fire suppression for such access shall be provided.

Recreation Policy P-8: New...marinas shall include adequate restrooms, pumpout facilities, trash containers, oily waste disposal facilities and other facilities necessary to meet needs of marina tenants. Use fees may be charged for the use of these facilities but such fees shall not exceed the cost of maintenance.

Recreation Policy P-9: Local governments shall encourage new recreation facilities that take advantage of the Delta's unique characteristics.

Recreation Recommendation R-7: Local governments should develop design guidelines for new or enlarged recreation facilities to protect adjacent agricultural land uses.

The Recreational User Survey (August 1997) of anglers and boaters, prepared by Department of Parks and Recreation and funded by Delta Protection Commission and Department of Boating and Waterways, found the following recreation facilities are needed in the Delta:

- Sewage pumpout facilities
- Courtesy docks
- Shoreline access
- Public restrooms
- Swimming beaches
- Fishing piers
- Shoreline fishing access
- Fish cleaning stations
- Bicycle trails
- Hiking trails
- Hunting areas.

**Issues:**

Alternatives to Fee Ownership:

EBRPD has acquired the full parcel in fee title; no plan for the site has been prepared.

Agriculture:

The proposed project could permanently retire up to 275 acres of land from agriculture. Impacts would be evaluated as part of a future environmental document associated with a plan for park uses.

Wildlife Habitat:

Future plans for the site may include wildlife habitat enhancement; no specific plans are currently available.

Recreation:

The proposed project would not displace any existing recreation activities. Future plans for the site will include recreation enhancement; no specific plans are currently available.

Other Issues:

The project does not include any new water management and thus would not add to any Mosquito Control issues. Development of a park plan would have to address issues of subsidence, levee management, etc.